

### **REMARKS/ARGUMENTS**

The Office Action of September 29, 2003 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 16-18 are pending.

Claims 16-18 stand rejected as obvious over Chan et al (US 6,091,630) in view of Hirano (U.S. 6,252,280). This rejection is respectfully in error.

Claims 16 and 18 have been amended to clarify that the first and third device regions are separate and the second and fourth device regions are separate. That is, the first and third regions are not portions of the same region, but are separate or distinct. Likewise the second and fourth regions are not portions of the same region, but are separate or distinct.

The Office Action considers that in Chan the first device region is an upper left portion of 65, the second device region is an upper right portion of 66, the third device region is a left and upper-middle portion of 65 and the fourth device region is a right and lower-middle portion of 66. However, as recognized by the Office Action, the first device region and the third device regions are different portions of the *same* region (active  $n^+$  region 65), and the second device region and the fourth device region are different portions of the *same* region (active  $p^+$  region 65).

Referring to figure 2 of Chan, active regions 65 and 66 have complex configurations, and the Office Action simply selects two sets of portions, one having a close opposing distance and the other having a longer opposing distance. The Office Action also considers that a left and upper-middle portion of 65 and the right and lower-middle portion of 66 are not directly opposing in a face-to-face way.

The two regions 65 and 66 are *symmetrical* and selecting the particular portions of the whole can only be based on hindsight as Chan does not teach or suggest selecting such portions for comparison. That is, absent hindsight application of the instant claimed invention, there is simply no reason that one skilled in the art would have selected the marked-up portions in Fig. 2.

Moreover, the instant claims require that the first and third regions are provided *separately* but in the same first well and the second and fourth regions are provided *separately*

but in the same second well. Chan does not teach or suggest the claimed arrangements of the first, second, third, and fourth regions.

Hirano does not remedy the defects of Chan. The instant claims require two sets (pairs) of device regions (active areas), which are disposed in two wells adjacent to each other with a well isolation structure disposed between each set of device regions. Hirano merely discloses a single set (pair) of device regions and thus does not teach two sets of device regions in accordance with claims 16-18. There is no reason to modify Chan based on Hirano to obtain the two pairs of device regions in accordance with the instant claims. In view of the above amendments and remarks, withdrawal of the instant rejection is requested.

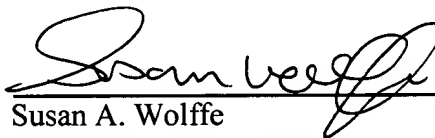
It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

Respectfully submitted,

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